

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TYSON GARCIA,

Petitioner,

vs.

THE COURT,

Respondent.

8:22CV389

MEMORANDUM AND ORDER

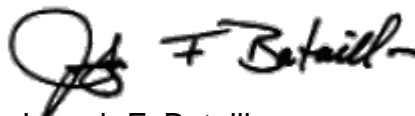
On November 14, 2022, the Court ordered Petitioner to submit the \$5.00 fee to the Clerk's Office or submit a request to proceed in forma pauperis ("IFP") and file an amended petition by December 14, 2022 (the "Order"). [Filing No. 3](#). Petitioner was notified that a failure to take either action would result in dismissal of this matter without further notice. *Id.* To date, Petitioner has not paid the filing fee, moved to proceed IFP, asked for an extension of time in which to do so, filed an amended petition, or otherwise responded to the Order, and the time to do so has passed.

IT IS THEREFORE ORDERED that:

This case is dismissed without prejudice because Petitioner failed to prosecute it and failed to comply with this Court's orders. No certificate of appealability has been or will be issued. The Court will enter judgment by a separate document.

Dated this 5th day of January, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long horizontal stroke extending to the right.

Joseph F. Bataillon
Senior United States District Court